

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

HEAT EXCHANGER

(Attorney Docket No. 016906-0323)

the specification of which (check one)

 is attached hereto.

X was filed on October 31, 2003 as United States Application Number or PCT International Application Number PCT/EP2003/012138 and was amended on _____ (if applicable).

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear,

concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?
102 56 869.3	Federal Republic of Germany	4 December 2002	YES	

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the registered attorneys-and agents at Customer Number

22428

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

Richard L. Schwaab
FOLEY & LARDNER LLP
Customer Number **22428**

Telephone: (202) 672-5414
Facsimile: (202) 672-5399

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

WU Name of first inventor

Werner HELMS

Residence

Esslingen, Federal Republic of Germany

DE

Citizenship

Federal Republic of Germany

Post Office Address

Weimarer Strasse 22

73730 Esslingen

Federal Republic of Germany

Inventor's signature

W. Helms

Date

1. 10. 2004

2-00

Name of second inventor	<u>Markus RECK</u>
Residence	<u>Stuttgart, Federal Republic of Germany</u> <i>DEX</i>
Citizenship	<u>Federal Republic of Germany</u>
Post Office Address	<u>Haeckerstrasse 4</u>
	<u>70565 Stuttgart</u>
	<u>Federal Republic of Germany</u>
Inventor's signature	<i>M. Reck</i>
Date	<i>5.10.2004</i>

3-00

Name of third inventor	<u>Stefan WEISE</u>
Residence	<u>Stuttgart, Federal Republic of Germany</u> <i>DEX</i>
Citizenship	<u>Federal Republic of Germany</u>
Post Office Address	<u>Kyffhäuser Strasse 50</u>
	<u>70469 Stuttgart</u>
	<u>Federal Republic of Germany</u>
Inventor's signature	<i>Stefan Weise</i>
Date	<i>06.10.2004</i>

**Declaration and Power of Attorney For Patent Application
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration**

derartig wissentlich und vorsätzlich falsche Angaben die
Gültigkeit der vorliegenden Patentanmeldung oder eines
darauf erteilten Patentes gefährden können.

VERTRETUNGSVOLLMACHT: Als benannter Erfinder
beauftrage ich hiermit den nachstehend benannten
Patentanwalt (oder die nachstehend benannten
Patentanwälte) und/oder Patent-Agenten mit der Verfolgung
der vorliegenden Patentanmeldung sowie mit der
Abwicklung aller damit verbundenen Geschäfte vor dem
Patent- und Warenzeichenamt: (Name und

Registrationnummer anführen): CUSTOMER NO. 22428

Pavan K. Agarwal, Reg. No. 40,888; George C. Beck, Reg. No. 38,072; Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Beth A. Burrous, Reg. No. 35,087; Alan I. Cantor, Reg. No. 28,163; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Michael D. Kaminski, Reg. No. 32,094; Mary Michelle Kile, Reg. No. 35,217; Kenneth E. Krosin, Reg. No. 25,735; Glenn Law, Reg. No. 34,371; Peter G. Mack, Reg. No. 26,001; Stephen B. Maebius, Reg. No. 35,264; Brian J. McNamara, Reg. No. 32,789; Richard C. Peet, Reg. No. 35,792; George E. Quillin, Reg. No. 32,792; Andrew E. Rawlins, Reg. No. 34,702; Bernhard D. Saxe, Reg. No. 28,665; Richard L. Schwaab, Reg. No. 25,479; Michele M. Simkin, Reg. No. 34,717; Harold C. Wegner, Reg. No. 25,258.

Telefongespräche bitte richten an:

(Name und Telefonnummer)

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CUSTOMER NO. 22428

Postanschrift: FOLEY & LARDNER LLP
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CUSTOMER NO. 22428

POWER OF ATTORNEY: As a named inventor, I hereby
appoint the following attorney(s) and/or agent(s) to prosecute
this application and transact all business in the Patent and
Trademark Office connected therewith. (List name and
registration number): CUSTOMER NO. 22428

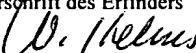
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Voller Name des einzigen oder ursprünglichen Erfinders: Werner HELMS	Full name of sole or first inventor: Werner HELMS
Unterschrift des Erfinders 	Datum 1. 10. 2004
Wohnsitz Esslingen, Federal Republic of Germany	Residence Esslingen, Federal Republic of Germany
Staatsangehörigkeit Federal Republic of Germany	Citizenship Federal Republic of Germany
Postanschrift Weimarer Strasse 22, 73730 Esslingen	Post Office Address Weimarer Strasse 22, 73730 Esslingen
Federal Republic of Germany	Federal Republic of Germany
Voller Name des zweiten Miterfinders (falls zutreffend) Markus RECK	Full name of second joint inventor, if any Markus RECK
Unterschrift des Erfinders 	Datum 5.10.04
Wohnsitz Stuttgart, Federal Republic of Germany	Residence Stuttgart, Federal Republic of Germany
Staatsangehörigkeit Federal Republic of Germany	Citizenship Federal Republic of Germany
Postanschrift Haeckerstrasse 4, 70565 Stuttgart	Post Office Address Haeckerstrasse 4, 70565 Stuttgart
Federal Republic of Germany	Federal Republic of Germany

(Bitte entsprechende Informationen und Unterschriften im
Falle von dritten und weiteren Miterfindern angeben.)

(Supply similar information and signature for third and
subsequent joint inventors.)

**Declaration and Power of Attorney For Patent Application
Erklärung Für Patentanmeldungen Mit Vollmacht
German Language Declaration**

Voller Name des dritter miterfinders (falls zutreffend): Stefan WEISE		Full name of third joint inventor, if any: Stefan WEISE	
Unterschrift des Erfinders <i>Stefan Weise</i>	Datum <i>06.10.2004</i>	Third inventor's signature	Date
Wohnsitz Stuttgart, Federal Republic of Germany		Residence	Stuttgart, Federal Republic of Germany
Staatsangehörigkeit Federal Republic of Germany		Citizenship	Federal Republic of Germany
Postanschrift Kyffhäuser Strasse 50, 70469 Stuttgart Federal Republic of Germany		Post Office Address	Kyffhäuser Strasse 50, 70469 Stuttgart Federal Republic of Germany
Voller Name des vierter miterfinders (falls zutreffend):		Full name of fourth joint inventor, if any:	
Unterschrift des Erfinders	Datum	Fourth inventor's signature	Date
Wohnsitz		Residence	
Staatsangehörigkeit		Citizenship	
Postanschrift		Post Office Address	
Voller Name des fünfter miterfinders (falls zutreffend):		Full name of fifth joint inventor, if any:	
Unterschrift des Erfinders	Datum	Fifth inventor's signature	Date
Wohnsitz		Residence	
Staatsangehörigkeit		Citizenship	
Postanschrift		Post Office Address	
Voller Name des sechster miterfinders (falls zutreffend):		Full name of sixth joint inventor, if any:	
Unterschrift des Erfinders	Datum	Sixth inventor's signature	Date
Wohnsitz		Residence	
Staatsangehörigkeit		Citizenship	
Postanschrift		Post Office Address	